

## NINTH DAY

(Wednesday, January 27, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Huddleston
Adkins	Hull
Alexander	Hyder
Alsup	Jackson
Amos	James
Baker	Johnson of Ellis
Beckworth	Johnson
Bell	of Tarrant
Boethel	Jones of Angelina
Boyer	Jones of Atascosa
Bradbury	Jones of Falls
Bradford	Jones of Wise
Bridgers	Keefe
Broadfoot	Kenyon
Brown	Kern
Burton	King
Cagle	Knetsch
Callan	Lankford
Carssow	Lanning
Cathey	Leath
Cleveland	Leyendecker
Colquitt	Little
Davis of Haskell	London
Davis of Jasper	Lucas
Davison of Fisher	Mann
Davison	Mauritz
of Eastland	Mays
Dean	McConnell
Deglandon	McCracken
Dickison	McDonald
Dollins	McFarland
England	McKee
Farmer	McKinney
Felty	Moffett
Fox	Monkhouse
Fuchs	Morris
Gibson	Morse
Graves	Newton
Hamilton	Nicholson
Hankamer	Oliver
Hanna	Palmer
Harbin	Patterson of Mills
Hardin	Patterson
Harper	of Travis
Harrell	Petsch
Harris of Archer	Pope
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Quinn
Heflin	Ragsdale
Herzik	Reader
Holland	Reed of Bowie
Hoskins	Reed of Dallas
Howard	Rhodes

Riddle	Stevenson
Roark	Stocks
Russell	Talbert
Rutta	Tarwater
Settle	Tennant
Sewell	Tennyson
Sharpe	Thornberry
Shell	Thornton
Simpson	Vale
Skaggs	Walker
Smith of Hopkins	Weldon
Smith	Winfree
of Matagorda	Wood
Smith of Tarrant	Worley

## Absent

Bond	Keith
Celaya	

## Absent—Excused

Bates	Loggins
Blankenship	Metcalf
Derden	Ross
Fielden	Schuenemann
Kelt	Stinson
Langdon	Waggoner
Leonard	Westbrook

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Leonard for today, on motion of Mr. Lucas.

Mr. Langdon for today, on motion of Mr. Worley.

Mr. Bates for today, on motion of Mr. Ragsdale.

The following Members were granted leaves of absence on account of illness:

Mr. Blankenship for today and the balance of the week, on motion of Mr. Colquitt.

Mr. Stinson for today, on motion of Mr. Colquitt.

Mr. Derden for today, on motion of Mr. Hankamer.

Mr. Loggins for today, on account of illness in his family, on motion of Mr. Bradbury.

Mr. Fielden for today, on motion of Mr. Hoskins.

Mr. Waggoner for today, on motion of Mr. Burton.

Mr. Metcalfe for today, on motion of Mr. Morris.

Mr. Schuenemann for today, on motion of Mr. Shell.

Mr. Westbrook for today, on motion of Mr. Davis of Jasper.

Mr. Ross for today, on motion of Mr. McConnell.

Mr. Kelt for today, on motion of Mr. Callan.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Settle:

H. B. No. 283, A bill to be entitled "An Act levying an occupation tax upon the commercial producers of coal at twenty-five cents per ton; providing for certain reports to be made by such producers to the Comptroller; defining the term 'commercial producers' and providing that the tax penalties and interest herein provided shall have a prior and preferred lien on such coal, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Winfree:

H. B. No. 284, A bill to be entitled "An Act amending Article 5714 of the Revised Civil Statutes of the State of Texas, of 1925, as amended by Chapter 83, Section 1, Acts of the Regular Session of the Forty-second Legislature, giving the Commissioner of Agriculture authority to make specific regulations with reference to Specifications and Tolerances for weighing and measuring devices and their use, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Sharpe and Mr. Fuchs:

H. B. No. 285, A bill to be entitled "An Act to amend Article 1047 of the Revised Criminal Statutes of the State of Texas of 1925 by omitting the following, to wit: 'provided the provisions of this Article shall not apply to any owner, manager, agent or employee of any compress or any public or private warehouse in their operations as a warehouseman. This law shall not apply in any manner to any Texas port', and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Sharpe and Mr. Fuchs:

H. B. No. 286, A bill to be entitled "An Act to amend Articles 5680 and 5688 of the Revised Civil Statutes of the State of Texas of 1925, as follows: Amend Article 5680 by omitting the following to wit: 'The provisions of this Article shall not apply to the owners, managers, agents or employees of any compress or any public warehouse in their operation as a warehouseman. This exemption shall not apply in any manner to a Texas port.' Amend Article 5688 to provide that public weigher's bond be made payable to the State of Texas; to provide for the certification by the County Clerk, to the Commissioner of Agriculture, the election and approval of bonds of public weighers, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Bridgers and Mr. Hankamer:

H. B. No. 287, A bill to be entitled "An Act to amend Article 4594 of Title 73 of the Revised Civil Statutes of the Acts of the Legislature of 1919 to provide in said Article for a lien in favor of owners of apartment houses, as well as proprietors of hotels or boarding houses on the baggage or other property of tenants, guests and lessees of hotels, apartment houses and boarding houses for rent due to such owners of hotels, apartment houses and boarding houses, and to further provide for a lien upon the baggage or other property of such tenants for the wanton, wilful or negligent destruction of property in or about, or connected with, the premises occupied by such tenants."

Referred to the Committee on Judiciary.

By Mr. Fox and Mr. Petsch:

H. B. No. 288, A bill to be entitled "An Act providing for emergency relief for certain school districts in Texas to aid certain districts in the payment of teachers' salaries and in equipping certain school buildings in certain districts in which there has been an influx of children within scholastic age since the last scholastic enumeration in the State; making an appropriation to each of said districts for said purposes; prescribing the manner of disbursing the funds appro-

priated by this Act, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Quinn:

H. B. No. 289, A bill to be entitled "An Act providing that the judgment of conviction in any felony case shall include within it the further order and decree of the Court that the State have and recover from the defendant the costs in such case incurred; providing that such judgment when properly abstracted and recorded shall constitute a preferred lien first and prior to all other existing liens on all property of such defendant; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Quinn:

H. B. No. 290, A bill to be entitled "An Act amending Article 2067, Revised Civil Statutes of Texas, 1925, by providing that the Clerks of the District Courts shall require the plaintiff in all divorce cases to post Twenty-five (\$25.00) Dollars cash bond to cover costs of Court; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Cagle:

H. B. No. 291, A bill to be entitled "An Act to amend Chapter 83, Senate Bill No. 179, of the General Laws passed by the Forty-first Legislature of the State of Texas at its Second Called Session, by amending Section 4 of said Act by adding, at the end of such Section the following: 'Provided, that any person who has to his credit in any standard college or university of Texas as much as six (6) hours of Government, shall be deemed to have met the requirements of this Section', and declaring an emergency."

Referred to the Committee on Education.

By Mr. Holland:

H. B. No. 292, A bill to be entitled "An Act amending Article 945, Article 946 and Article 953 of the Revised Civil Statutes of Texas, 1925, relating to Writs of Certiorari to Justice Courts; defining what constitutes sufficient cause for the issuance of such

writs; providing certain conditions upon which same shall not be issued and further averments of affidavit before issuance thereof; designating time within which same may be issued; regulating motions to dismiss based upon such provisions; repealing all laws and parts of laws conflicting herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. McDonald:

H. B. No. 293, A bill to be entitled "An Act to amend Article 3875 (5898), Title 60, Revised Civil Statutes of the State of Texas, 1925, to provide for the use of funds collected under this title for research and research facilities relating to the administration of the Feeding Stuff Law and for other purposes, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. McKinney:

H. B. No. 294, A bill to be entitled "An Act making an emergency appropriation for the support and maintenance of the Sam Houston State Teachers College and for the erection of permanent improvements at the Sam Houston State Teachers College, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Hardin, Mr. Dickison, Mr. Derden, Mr. Farmer, Mr. Ross, Mr. Smith of Tarrant, Mr. Nicholson, Mr. Hyder, Mr. Thornton, Mr. Dollins, Mr. Hamilton, Mr. Felty, Mr. Cagle, Mr. Wood, Mr. Bond, Mr. Tennant, Mr. Gibson, Mr. Newton, Mr. Hull, Mr. Callan, Mr. McDonald, Mr. Howard, Mr. Carssow, Mr. Morse, Mr. Tennyson, Mr. Johnson of Tarrant, Mr. Harrell, Mr. Weldon, Mr. Mann, Mr. James, Mr. Kenyon, Mr. England, Mr. Walker, Mr. Winfree, Mr. McCracken, Mr. Burton, Mr. Colquitt, Mr. Johnson of Ellis, Mr. Sewell, Mr. Fox, Mr. McFarland, Mr. Harris of Dallas, Mr. Jones of Falls, Mr. Sharpe, Mr. Leonard, Mr. Amos, Mr. Heflin, Mr. Waggoner and Mr. Reader:

H. B. No. 295, A bill to be entitled "An Act making an appropriation of the sum of \$334,637.35, out of any funds in the State Treasury, not otherwise appropriated, to pay the apportionment to certain Counties in

which the Criminal District Attorney, or the County Attorney performing the duties of District Attorney are partially compensated on the basis of a salary as provided for in Section 13, Subsection (b), of Senate Bill No. 5 enacted at the Second Called Session of the Forty-fourth Legislature, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Farmer:

H. B. No. 296, A bill to be entitled "An Act providing for the amendment of Article 1848 of the Revised Civil Statutes of 1925, as amended by Acts of the Forty-second Legislature, Regular Session, Chapter 64, page 98 in Section 1 as amended by the Acts of the Forty-fourth Legislature, Regular Session, Chapter 90, page 225 in Section 1, so as to provide that litigants may have more time to file their briefs after the filing of the transcript in the Appellate Courts, and providing for the equalization of opportunity for filing briefs as between appellant and appellee, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Little:

H. B. No. 297, A bill to be entitled "An Act making appropriations for the support and maintenance of West Texas State Teachers College and for the erection of permanent improvements at the West Texas State Teachers College, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Lucas:

H. B. No. 298, A bill to be entitled "An Act requiring any person using any trap or similar device to take any of the birds or animals of this State, upon the private lands of another person in Henderson County, to first obtain and have in his possession a written permit; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to en-

force the provisions of this Act and repealing all laws in so far as they conflict with any provision of this Act."

Referred to the Committee on Game and Fisheries.

By Mr. Lucas:

H. B. No. 299, A bill to be entitled "An Act requiring a special quail license costing Fifteen (\$15.00) Dollars of any person over seventeen (17) years of age who hunts quail outside the county of his residence; providing the fee for the officer who issues such licenses; disposing of funds from the sale of such licenses; providing a penalty for violation of this Act; repealing all laws, in so far as they may conflict with this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Mann:

H. B. No. 300, A bill to be entitled "An Act repealing Article 8310 of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 301, A bill to be entitled "An Act repealing Article 8311 of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 302, A bill to be entitled "An Act repealing Article 8312, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 303, A bill to be entitled "An Act repealing Article 8313 of the Revised Civil Statutes of the State of Texas, 1925, Title 131, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 304, A bill to be entitled "An Act repealing Article 8314 of the Revised Civil Statutes of Texas, 1925, Title 131, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 305, A bill to be entitled "An Act repealing Article 8315 of the Revised Civil Statutes of the State of Texas, 1925, Title 131, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 306, A bill to be entitled "An Act repealing Article 8316, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 307, A bill to be entitled "An Act repealing Article 8317, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 308, A bill to be entitled "An Act repealing Article 8318, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of April 30, 1846, page 158, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 309, A bill to be entitled "An Act repealing Article 8319, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of August 30, 1856, page 76, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 310, A bill to be entitled "An Act repealing Article 8320, Title

131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of August 30, 1856, page 76, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 311, A bill to be entitled "An Act repealing Article 8321, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of August 30, 1856, page 76, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 312, A bill to be entitled "An Act repealing Article 8322, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of August 30, 1856, page 76, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Mann:

H. B. No. 313, A bill to be entitled "An Act repealing Article 8323, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of August 30, 1856, page 76, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 314, A bill to be entitled "An Act repealing Article 8324, Title 131, of the Revised Civil Statutes of the State of Texas, 1925, the same being Acts of August 30, 1856, page 76, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mann:

H. B. No. 315, A bill to be entitled "An Act providing that the fees due officers and judges of the courts as set out in Title 15 of the Revised Code of Criminal Procedure of 1925, shall not be due or claimed by such officers and judges in prosecution of misdemeanors as set out in Chapter 1 of Title 13, of the Revised Penal Code of Texas, 1925, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Felty and Mr. Hoskins:

H. B. No. 316, A bill to be entitled "An Act exempting newspaper men testifying with reference to the source of certain confidential information; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Lankford and Mr. Morris:

H. B. No. 317, A bill to be entitled "An Act amending Article 2700 of the Revised Civil Statutes of Texas, 1925, increasing the allowance for office and traveling expenses for county superintendent of Hunt County to not exceeding \$600.00 per annum, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Cathey and Mr. Johnson of Ellis:

H. B. No. 318, A bill to be entitled "An Act regulating mutual life insurance companies or associations; requiring the presidents and secretaries of each of such companies to perform certain duties and prescribing the amount which may be retained by such mutual life insurance companies or associations out of the monthly or annual assessments levied against its members or policyholders for the purpose of paying salaries or other operating expenses, and providing a penalty for failure to comply with the provisions of this Act, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Winfree, Mr. Heflin, Mr. Howard, Mr. Mann and Mr. Morse:

H. B. No. 319, A bill to be entitled "An Act to define and provide for the registration and licensing of motor vehicle and aircraft mechanics; creating county boards for examining and issuing licenses under the supervision of the Commissioner of Labor; defining certain words and phrases; providing for disposition of license fees; fixing compensation for board members; making an appropriation; providing for administration of the Act; prescribing certain penalties, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Harris of Archer:

H. B. No. 320, A bill to be entitled "An Act to amend Section 5, 6 and 9 (b) of Article 827 (a), Penal Code of Texas, (Acts of the Regular Session of the Forty-second Legislature, Chapter 282, page 507), regulating the load limit that may be transported upon commercial vehicles, truck-tractors, trailers or semi-trailers outside the corporate limits of an incorporated town; fixing the number of pounds per inch, width of tire upon any wheel concentrated upon the surface of the highway; providing for the weighing of vehicles by state license and weight inspectors; providing such inspectors may require vehicles to be driven to the nearest scales, if located within two miles, and if such vehicle is overloaded that portion of the load shall be immediately unloaded so as to conform to the law; providing a penalty for the violation of the weight load limit law, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Moffett, Mr. Patterson of Travis, Mr. Walker, Mr. Keefe, Mr. Morse, Mr. Petsch, Mr. Alexander, Mr. Lankford and Mr. McKee:

H. B. No. 321, A bill to be entitled "An Act amending Chapter 141, Acts, Fortieth Legislature, Regular Session, as amended by Chapter 246, Acts, Forty-second Legislature, Regular Session, creating the Office of the Veterans' State Service Office attached to the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority and duties of such officers; fixing and authorizing payment of their salaries, traveling and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; and repealing all laws and parts of laws in conflict therewith."

Referred to the Committee on Military Affairs.

By Mr. Morris, Mr. Thornton, Mr. Knetsch, Mr. Baker, Mr. Morse, Mr. Mauritz, Mr. Farmer, Mr. Graves, Mr. Jones of Wise, Mr. Mann, Mr. England, Mr. Bradbury, Mr. Alsup, Mr. Gibson, Mr. Beckworth, Mr. Settle, Mr. Fielden, Mr. Harris of Dallas, Mr.

Hanna, Mr. Smith of Hopkins, Mr. Davison of Fisher, Mr. Harper, Mr. Colquitt, Mr. Amos, Mr. Davis of Haskell, Mr. Keefe, Mr. Roark, Mr. Hartzog, Mr. Jones of Falls, Mr. London, Mr. Johnson of Tarrant, Mr. Hyder, Mr. Harrell, Mr. Ragsdale, Mr. Wood, Mr. Worley, Mr. Rutta, Mr. Carssow, Mr. Talbert, Mr. Hardin, Mr. Bates, Mr. Skaggs, Mr. Jones of Angelina, Mr. Boethel, Mr. Tennyson, Mr. Monkhouse, Mr. Davisson of Eastland, Mr. Kelt, Mr. Dean, Mr. Bell, Mr. Waggoner, Mr. Herzik, Mr. Darden, Mr. Simpson, Mr. Keith, Mr. Howard, Mr. Jackson, Mr. Bond, Mr. Lanning, Mr. Kern, Mr. Reed of Bowie, Mr. Smith of Matagorda, Mr. Bradford, Mr. Cleveland, Mr. Powell, Mr. Tarwater, Mr. McFarland, Mr. Davis of Jasper, Mr. Harbin, Mr. Dollins, Mr. Adkins, Mr. Sharpe, Mr. Hull, Mr. Fox and Mr. Brown:

H. B. No. 322, A bill to be entitled "An Act to prevent unfair and deceptive merchandising practices; making unlawful certain discriminations in price, service or facilities furnished, or in payment for service or facilities to be rendered in connection with the sale of commodities in the course of trade or commerce in Texas; defining cost and other terms contained therein; providing for penalties and certain specific remedies for violation of the provisions herein; providing that those engaged in selling goods, wares or merchandise in this State may select their own customers; providing for price changes under certain conditions; providing for defense of person charged with violation of this Act; providing for the distribution by co-operatives of net profits to members thereof; providing against the sale or the offering for sale of products at less than cost; providing the system of arriving at or establishing the cost of a given article, product or commodity to the distributor or vendor; providing for exemptions or exceptions to Sections 4 and 5 hereof; designating this Act as the 'Anti-Discrimination Act'; fixing venue for suits brought hereunder; providing that if any part, phrase, section, sentence or clause is declared invalid or unconstitutional it shall not affect the validity of the remainder of the Act, and declaring an emergency."

Referred to the Committee on Commerce and Manufactures.

By Mr. Riddle:

H. B. No. 323, A bill to be entitled "An Act amending Chapter 206, of the Regular Session of the Forty-first Legislature authorizing the Board of Directors of Texas Technical College and the Board of Directors of Texas Arts and Industries and the Board of Regents of the Texas State Teachers Colleges to erect and equip and make contracts for the erection and equipping of dormitories, other buildings and improvements on the campus or other real estate purchased or leased for the purpose; to purchase or lease additional real estate for such purpose or to sell or exchange real estate now or hereafter owned for such purposes; to enter into contracts with municipalities or school districts for joint construction of museums, library buildings or such other buildings as may be necessary; to issue obligations under the limitations herein prescribed and to pledge the rents, revenues and incomes from the operation of such improvements to be erected hereunder, and/or then owned for the repayment of said obligations; and all other rents, revenues and incomes from every source, except appropriations made by the Legislature for a particular specific purpose; to establish and maintain such schedule of rates, fees and charges for the use of facilities afforded by its dormitories, other buildings, and improvements and revenues from athletic fields and stadiums, as necessary for payment of principal and interest of indebtedness; to sell and/or encumber any part of the campus or real estate owned by the college for the purpose of obtaining funds with which to erect and/or equip such improvements; or for the purpose of further securing the payment of its obligations issued for the erection and/or equipping of such improvements; providing for the control and management of said dormitories, other buildings, and improvements; providing that in the erection of such buildings and improvements or in contracting therefor no indebtedness shall be incurred against the Texas State Teachers Colleges or the State of Texas, authorizing the Board of Regents or Board of Directors to borrow money for the Teachers Colleges and issue the obligations of the colleges therefor, payable from appropriations or income of the college, for which the money is borrowed, except as herein otherwise provided; re-

pealing all laws and parts of laws in conflict with the provisions of this Act and providing that if any sections, provisions or portions of this Act be held invalid that the same shall not affect the remaining sections, provisions or portions thereof, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Lucas:

H. B. No. 324, A bill to be entitled "An Act requiring any person hunting any quail outside of the county of his residence upon the private lands of another person in Henderson County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act and repealing all laws in so far as they conflict with any provision of this Act."

Referred to the Committee on Game and Fisheries.

By Mr. Graves:

H. B. No. 325, A bill to be entitled "An Act to reorganize and simplify the organization and operations of the Executive Department of the State Government to provide for better service and economy through the enactment of an Administrative Code, providing for nineteen (19) administrative departments; redistributing the powers and duties of the existing offices, departments, boards, commissions, institutions, and other agencies among them; abolishing certain offices, departments, boards, commissions, institutions, and other agencies, creating certain others, continuing certain others, transferring certain others; defining the organization, powers and duties of offices, departments, boards, commissions, and other agencies that are hereby created or retained and providing for their coordination; fixing terms of office,

methods of appointment and election, duties, and qualifications of offices and positions, and providing the method of fixing the compensation thereof; prescribing methods and procedure to be followed in budget making, financial control, purchasing, personnel, taxation, treasury administration, and other matters; declaring the Rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; prescribing penalties; repealing Chapter 293 of the General and Special Laws of the Fortieth Legislature, Chapter 185 of the General and Special Laws of the Forty-first Legislature, Chapters 47 and 255 of the General Laws of the Forty-second Legislature, Articles 75, 2605, 5891, and 7019 of the Revised Civil Statutes of 1925, so much of Articles 3192 thereof as relates to the Dallas State Hospital, and so much of Article 3068 thereof as relates to the State Board of Canvassers, and all other laws and parts of laws in conflict with the provisions of this Act, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Fox and Mr. Thornton:

H. B. No. 326, A bill to be entitled "An Act defining indigent and non-indigent patients in state and psychopathic hospitals, providing for their support and that the State be reimbursed for the support, maintenance and treatment of non-indigent patients; declaring who are liable for the support, maintenance and treatment of non-indigent patients, providing that the State Board of Control may demand and conduct investigations in the County Court to determine the ability of patients or those liable for their support to pay therefor, authorizing contracts for the support, maintenance and treatment of patients in state and psychopathic hospitals, and providing that suits may be instituted to collect for the support, maintenance and treatment of patients, and that the County and District Attorneys shall represent the State in such suits and prescribing the fee for so doing, repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Harrell:

H. B. No. 327, A bill to be entitled "An Act declaring it unlawful to buy pools or otherwise wager anything of value on any dog race to be run at any place in this State or elsewhere or to offer to wager or place any money or anything of value with any other person to be transmitted to any other place to be wagered on any such dog race; providing the penalty for the violation of this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Ragsdale and Mr. Jones of Wise:

H. B. No. 328, A bill to be entitled "An Act to declare the necessity of creating a governmental subdivision of the State to be known as 'Trinity Watershed Soil and Water Conservation District,' and other governmental subdivisions of the State to be known as 'soil and water conservation subdistricts,' to engage in conserving soil and water resources and preventing and controlling soil erosion; to establish the Trinity Watershed Soil and Water Conservation District; to establish the Trinity Watershed Soil and Water Conservation Committee and the Board of Directors of the Trinity Watershed Soil and Water Conservation District, and to define the powers and duties of the said Committee and Board; to provide for the creation of soil and water conservation subdistricts; to define the powers and duties of soil and water conservation subdistricts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift and otherwise; to empower such subdistricts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil erosion, and the adoption and carrying out of soil and water-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for establishing boards of adjustment in connection with land-use regulations and to define their functions and powers; to provide for discontinuance of such soil and water conservation subdistricts; to provide for financial assistance to such subdistricts, and to make an appropriation for that purpose and for otherwise effectuating the provisions of

this Act; to declare an emergency, requiring that this Act take effect from the date of its passage, and for other purposes."

Referred to the Committee on Conservation and Reclamation.

#### HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Petsch, Mr. Knetsch, Mr. Mays and Mr. Dean:

H. J. R. No. 29, Proposing an amendment to Section 51-b of Article III of the Constitution of the State of Texas, authorizing the Legislature to provide for Old Age Insurance and for the payment of same not to exceed Fifteen (\$15.00) Dollars per month to each actual bona fide resident of Texas over the age of sixty-five (65) years who are not habitual criminals nor habitual drunkards nor inmates of State supported institution, and providing that the requirements of length of time of actual residence shall never be less than five (5) years during the nine (9) years immediately preceding the application for Old Age Insurance and continuously for one (1) year immediately preceding such application; and providing that the Legislature shall have authority to accept from the Government of the United States financial aid for Old Age Insurance; and levying a two (2%) per cent tax on gross receipts from retail sales of tangible personal property in this State except products sold by the actual producer for the purpose of creating fund to pay Old Age Insurance and to support and maintain the public schools, said fund to be allocated: three-fourths ( $\frac{3}{4}$ ) to the Old Age Insurance and one-fourth ( $\frac{1}{4}$ ) to the schools; providing for the necessary proclamation and making an appropriation to pay for the necessary expenses of proclamation, publication and election.

Referred to the Committee on Constitutional Amendments.

#### ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr Thornberry, House Bills Nos. 145 and 153.

Mr. Davis of Jasper, House Bill No. 19.

Mr. Mann, House Bill No. 263.

Mr. Alsup, House Bill No. 7.

Mr. Fuchs, House Bills Nos. 247 and 119.

Mr. Jones of Angelina, House Bill No. 328.

Mr. Patterson of Travis, House Bill No. 2.

Mr. McCracken, House Bill No. 10.

Mr. Dollins, House Bill No. 260.

#### ADOPTING JAMES WINFREE AND JOAN WINFREE AS MASCOTS

Mr. Mann offered the following resolution:

Whereas, We have with us today proper persons for the office of Mascot and Queen of Mascots of the House of Representatives for the Forty-fifth Legislature of the State of Texas; therefore, be it

Resolved, That James L. Winfree, age two months, the one and only grandson of one of our distinguished Members, be and is hereby officially named by this House as Mascot of the House of Representatives, and Joan Winfree, age seventeen months, the one and only granddaughter of one of our distinguished Members, be and is hereby officially named by this House as Queen of Mascots of the House of Representatives for the Forty-fifth Legislature of the State of Texas; and, be it further

Resolved, That said Mascot and Queen of Mascots have their pictures made and placed with the pictures of the Members of the House in the official group of this body.

MANN.  
HFFLIN,  
MORSE.  
HOWARD.

The resolution was read second time, and was adopted.

#### CONCERNING DUTIES OF CERTAIN EMPLOYEES

Mr. Jones of Falls offered the following resolution:

Whereas, The Members of the House of Representatives are now heavily engaged in their duties of meeting committees and attending sessions of the Legislature; and

Whereas, They do not have the time they had at the beginning of the Session; and

Whereas, There are numerous Committee Clerks and other employees of the House of Representatives who are not actively engaged in their duties all of the time; therefore, be it

Resolved, That the Speaker of the House of Representatives instruct these Committee Clerks and various other employees to acquaint themselves with the members of the Unemployment Insurance, Old Age Assistance Commission, Liquor Board, Governor, Comptroller, Land Commissioner and all other department heads, where they might take the various people who come to the Capitol and introduce them to these department heads and carry the recommendations of the Representatives recommending their various constituents for positions.

JONES of Falls,  
ADKINS,  
LONDON,  
JONES of Angelina.

The resolution was read second time.

Mr. Hanna moved that the resolution be referred to the Committee on Military Affairs.

Mr. Jones of Falls moved to table the motion to refer the resolution.

The motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on Military Affairs, it prevailed.

#### CONCERNING VENTILATION OF THE HOUSE

Mr. Keefe offered the following resolution:

Whereas, The Hall of the House of Representatives needs to be partially ventilated, at least; therefore, be it

Resolved, That the Committee on Contingent Expenses be instructed to place window-shield ventilation in the House of Representatives.

The resolution was read second time.

Mr. Wood moved that the resolution be referred to the Committee on Contingent Expenses.

Mr. Keefe moved to table the motion to refer the resolution.

The motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on Contingent Expenses, it prevailed.

**PROVIDING FOR CERTAIN COMMITTEE IN REGARD TO USE OF RED RIVER BY TEXAS CITIZENS**

Mr. Broadfoot offered the following resolution:

H. C. R. No. 13, Proposing to send a committee to Oklahoma for purpose of entering compact with Oklahoma relative to use of Red River by Texas Citizens.

Whereas, The boundary line between Texas and Oklahoma, as decided in the case of Oklahoma vs. Texas, in 260 U. S. 623, where they are separated by the Red River, is along the Southern bank of such river; and

Whereas, The above line for boundary is based on the treaty between the United States and Spain in A. D., 1819; and

Whereas, Said treaty provides that the use of the waters and navigation of such river throughout the extent of its boundary shall be common to respective inhabitants of both nations;

Whereas, The citizens of Texas have always enjoyed the use, rights and enjoyment of such Red River up until the time that this case of Oklahoma vs. Texas was decided in 1923, but since that time the citizens of Texas have been deprived of fishing, hunting, boating and other recreational purposes, which rights were vouchsafed the citizens of Texas by the treaty mentioned above; and

Whereas, The Red River is about the only place the citizens of Texas living along or near it have for fishing, hunting, boating or other recreational purposes, and when they go to the river for any of the purposes above mentioned they are arrested by Game Wardens from Oklahoma and taken over into Oklahoma and made to pay a fine, and in many instances they do not have the money with them with which to pay said fine, and being in another state where their friends can not make their bonds, they are lodged in jail; now, therefore, be it

Resolved by the Legislature of the State of Texas, That a committee composed of two Members of the State Senate, to be appointed by the

Lieutenant Governor, three Members of the House of Representatives, to be appointed by the Speaker and one Member of the Attorney General's Department, to be sent to Oklahoma to meet with Members of the Oklahoma Legislature and other proper Oklahoma officials for the purpose of formulating and entering into a compact between Texas and Oklahoma to the end that Texas citizens be given full rights and enjoyments of Red River for fishing, hunting, boating and other recreational purposes, which rights were vouchsafed the citizens of Texas by a treaty between the United States and Spain in A. D. 1819.

Said committee will report the result of its meeting with Oklahoma authorities to the Forty-fifth Texas Legislature which is now in Session.

The sum of One Thousand (\$1,000.00) Dollars, or so much thereof as shall be necessary, is hereby appropriated out of the General Fund of the State Treasury to pay the expenses of said committee in going to Oklahoma for the purpose outlined above and other expenses incident thereto.

**BROADFOOT,  
HARRELL,  
SHARPE,  
SMITH of Tarrant,  
SKAGGS,  
TENNYSON,  
REED of Bowie,  
WALKER,  
McFARLAND,  
MOFFETT,  
ALEXANDER,  
WAGGONER,  
BURTON,  
LONDON,  
HARRIS of Archer,  
STOCKS.**

The resolution was read second time.

Mr. Hanna moved that the resolution be referred to the Committee on State Affairs.

Mr. Jones of Wise raised a point of order, on further consideration of the resolution, on the ground that the resolution violates Section 6 of Article VIII of the Constitution.

The Speaker sustained the point of order.

Mr. Broadfoot asked unanimous consent of the House that the resolution be amended to provide that the

\$1,000.00 be paid out of the Contingent Expense Fund.

There was no objection offered and it was so ordered.

Mr. Boyer moved to table the motion to refer the resolution to the Committee on State Affairs.

The motion to table prevailed.

Question recurring on the resolution, it was adopted.

#### RELATIVE TO APPOINTMENT OF COACH DANA X. BIBLE

Mr. Sewell offered the following resolution:

Whereas, The Board of Regents of Texas University has chosen Dana X. Bible of Nebraska University, to fill the position of Athletic Director and Head Football Coach for the next ten years; and

Whereas, Dana X. Bible has resigned his post at Nebraska University, and accepted the ten year contract tendered him by Texas University; and

Whereas, His coming to Texas University, is being hailed by the press throughout the nation as being complimentary to Texas and a great boost for Texas University, and football as a whole in the Southwestern Conference; and

Whereas, His success during these next ten years is dependent upon the cooperation and support given him by Texas University officials, the student body of said university and the football fans of the State; therefore, be it

Resolved, That this body, the House of Representatives of the Forty-fifth Legislature of Texas, tender the University of Texas officials and student body, through its newspaper, the Daily Texan, congratulations upon their success in securing so able and beloved a coach and to tender to Coach Dana X. Bible, an expression of warm welcome upon his return to Texas and the Southwestern Conference; and, be it further

Resolved, That the Chief Clerk be instructed to send a copy of this resolution to President Benedict of Texas University; a copy to the editor of the Daily Texan, with a request for its publication; and a copy, by mail, to Dana X. Bible.

SEWELL,

KEEFE,

DAVISON of Fisher.

The resolution was read second time.

Mr. Petsch raised a point of order, on further consideration of the resolution, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Keefe moved that the House Rule, relative to the time allotted for the consideration of resolutions, be suspended, at this time, for the purpose of considering the above resolution.

The motion prevailed.

Mr. Bradbury moved that the resolution be referred to the Committee on State Affairs.

Mr. Thornberry moved to table the motion to refer the resolution.

The motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on State Affairs, it prevailed.

#### PROVIDING FOR COMMITTEE IN REGARD TO REDISTRICTING THE STATE FOR DISTRICT COURT PURPOSES

The Speaker laid before the House, for consideration at this time, resolution offered on yesterday by Mr. Petsch, in regard to redistricting the State for District Court purposes.

The resolution having heretofore been read second time, and referred to the committee on Judicial Districts.

The committee on Judicial Districts having recommended the adoption of the resolution.

Mr. Lucas called for a division of the questions in the resolving clause of the resolution.

Mr. Thornton raised the following point of order:

"I raise the point of order to the last Resolving Clause wherein it is provided that House Bill No. 10 be not considered until the Committee to be appointed made its recommendation in redistricting.

"That part of resolving clause referred to, attempts, without suspension of the Rules, to postpone indefinitely the consideration of a bill not pending before the House."

The Speaker sustained the point of order, as relates to the last section of the resolving clause.

Mr. McKee offered the following amendment to the resolution:

Amend the resolution in second resolving clause by striking out the words, "and that all expenses of such committee be paid out of the Contingent Funds of the House of Representatives on vouchers duly signed by the Speaker."

The amendment was adopted.

Mr. Hanna moved to table the resolution.

The motion to table was lost.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—59

Alexander	McFarland
Amos	McKee
Baker	Moffett
Beckworth	Monkhouse
Bell	Morris
Boethel	Nicholson
Bradbury	Oliver
Brown	Patterson of Mills
Cleveland	Patterson
Davis of Haskell	of Travis
Davis of Jasper	Petsch
Davison of Fisher	Powell
England	Prescott
Felty	Quinn
Graves	Ragsdale
Herzik	Roark
Holland	Russell
Hoskins	Simpson
Jones of Angelina	Skaggs
Jones of Atascosa	Smith of Hopkins
Jones of Wise	Smith
King	of Matagorda
Knetsch	Stocks
Lankford	Talbert
Lanning	Tennyson
London	Thornberry
Lucas	Walker
Mann	Weldon
Mauritz	Wood
McConnell	Worley
McDonald	

## Nays—56

Adkins	Dickison
Bond	Dollins
Boyer	Farmer
Bradford	Fuchs
Burton	Gibson
Callan	Hankamer
Carssow	Hanna
Cathey	Hardin
Colquitt	Harper
Davison	Harrell
of Eastland	Harris of Archer
Dean	Harris of Dallas
Deglandon	Harris of Dickens

Hartzog	Morse
Heflin	Newton
Hull	Palmer
Hyder	Reader
James	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Johnson	Rhodes
of Tarrant	Riddle
Jones of Falls	Rutta
Keefe	Settle
Kenyon	Sewell
Kern	Sharpe
Leath	Tennant
Little	Thornton
Mays	Vale
McKinney	Winfree

## Absent

Alsup	Jackson
Bridgers	Keith
Broadfoot	Leyendecker
Cagle	McCracken
Celaya	Pope
Fox	Shell
Hamilton	Smith of Tarrant
Harbin	Stevenson
Howard	Tarwater
Huddleston	

## Absent-Excused

Bates	Loggins
Blankenship	Metcalf
Derden	Ross
Fielden	Schuenemann
Kelt	Stinson
Langdon	Waggoner
Leonard	Westbrook

Mr. Petsch moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 174 ON SECOND READING

On motion of Mr. Tennyson, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended, at this time, for the purpose of considering House Bill No. 174.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 174, A bill to be entitled "An Act making an appropriation from the State Treasury for the preparation, checking, investigation, and correction of the scholastic census and for accounting and investigation necessary in the approval of trans-

fers to the Census Division to the State Department of Education; providing money for salaries, wages, rent, equipment, supplies, printing, and necessary traveling expenses incident thereto for the sum of Fifteen Thousand (\$15,000.00) Dollars for the year ending September first, 1937, and declaring an emergency."

The bill was read second time.

Mr. Jones of Wise offered the following committee amendment to the bill:

Amend House Bill No. 174 by striking out the first line of Section 1, reading: "There is hereby appropriated out of the State Treasury" and inserting in lieu thereof the following:

"There is hereby appropriated out of these special taxes levied and collected for the purpose of supplementing the Available School Fund, not constitutionally prohibited."

Mr. Thornberry offered the following substitute for the committee amendment:

Amend House Bill No. 174 by striking out the paragraph of Section 1 and inserting in lieu thereof the following which shall be known as Section 1 of said bill:

"There shall be set up by the Comptroller of the State of Texas and the Treasurer of the State of Texas a transfer and census account in the Available School Fund of an amount not to exceed one cent per capita of the scholastics enumerated in the last preceding census for the year 1936-1937, and there is hereby appropriated for the fiscal year 1936-1937 one cent per capita of the scholastics in the last preceding census to this fund out of those special taxes levied and collected, not prohibited by the Constitution, for the supplementing of the Available School Fund. Warrants issued against said fund shall be drawn and paid as are warrants against the Available School Fund, in no event to exceed the amount of one cent per capita. Said fund shall be used in carrying out the provisions of this Act, in hiring necessary help, in providing necessary forms, office supplies, rent, printing, traveling expenses and any other necessary expenses of the administration incurred therein."

(Mr. Alexander in the Chair.)

The substitute amendment was lost.

Mr. Tennyson moved to table the committee amendment.

The motion to table was lost.

Question recurring on the committee amendment, it was adopted.

Mr. Jones of Wise offered the following committee amendment to the bill:

Amend House Bill No. 174 by adding to Section 1 thereof as a new sentence the following:

"Warrants issued against said fund shall be drawn and paid as are warrants against the Available School Fund."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 174 was then passed to engrossment.

#### HOUSE BILL NO. 174 ON THIRD READING

Mr. Tennyson moved that the constitutional rule, requiring bill to be read on three several days, be suspended, and that House Bill No. 174 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Adkins	Deglandon
Alsup	Dickison
Amos	Dollins
Baker	England
Beckworth	Farmer
Bell	Felty
Boethel	Fox
Bond	Fuchs
Boyer	Gibson
Bradbury	Graves
Bradford	Hamilton
Bridgers	Hankamer
Broadfoot	Hanna
Brown	Harbin
Burton	Hardin
Cagle	Harper
Callan	Harrell
Carssow	Harris of Archer
Cathey	Harris of Dallas
Cleveland	Harris of Dickens
Colquitt	Hartzog
Davis of Haskell	Heflin
Davis of Jasper	Herzik
Davison of Fisher	Holland
Davisson	Hoskins
of Eastland	Howard

Huddleston	Oliver
Hull	Patterson of Mills
Hyder	Patterson
Jackson	of Travis
James	Powell
Johnson of Ellis	Prescott
Johnson	Quinn
of Tarrant	Reader
Jones of Angelina	Reed of Bowie
Jones of Atascosa	Reed of Dallas
Jones of Falls	Rhodes
Jones of Wise	Riddle
Keefe	Roark
Kenyon	Russell
Kern	Rutta
King	Settle
Knetsch	Sewell
Lanning	Sharpe
Leath	Shell
Little	Simpson
London	Skaggs
Lucas	Smith
Mann	of Matagorda
Mauritz	Smith of Tarrant
Mays	Stevenson
McConnell	Stocks
McCracken	Talbert
McDonald	Tennant
McFarland	Tennyson
McKee	Thornberry
McKinney	Thornton
Moffett	Walker
Monkhouse	Weldon
Morris	Winfree
Morse	Wood
Newton	Worley
Nicholson	

## Nays—1

Lankford

## Absent

Alexander	Petsch
Celaya	Pope
Dean	Ragsdale
Keith	Smith of Hopkins
Leyendecker	Tarwater
Palmer	Vale

## Absent—Excused

Bates	Loggins
Blankenship	Metcalfe
Derden	Ross
Fielden	Schuenemann
Kelt	Stinson
Langdon	Waggoner
Leonard	Westbrook

The Chair then laid House Bill No. 174 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—116

Adkins	Kenyon
Alsup	Kern
Amos	King
Baker	Knetsch
Beckworth	Lankford
Bell	Lanning
Boethel	Leath
Bond	Little
Boyer	London
Bradbury	Lucas
Bradford	Mann
Bridgers	Mauritz
Broadfoot	Mays
Brown	McConnell
Burton	McDonald
Cagle	McFarland
Callan	McKee
Carssow	McKinney
Cathey	Moffett
Cleveland	Monkhouse
Colquitt	Morris
Davis of Haskell	Morse
Davis of Jasper	Newton
Davison of Fisher	Oliver
Deglandon	Palmer
Dickison	Patterson of Mills
Dollins	Patterson
England	of Travis
Farmer	Powell
Felty	Prescott
Fox	Quinn
Fuchs	Ragsdale
Gibson	Reader
Hamilton	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rhodes
Hardin	Riddle
Harper	Roark
Harrell	Russell
Harris of Archer	Rutta
Harris of Dallas	Settle
Harris of Dickens	Sewell
Heflin	Sharpe
Holland	Shell
Hoskins	Simpson
Howard	Skaggs
Huddleston	Smith of Tarrant
Hull	Stevenson
Hyder	Stocks
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Angelina	Vale
Jones of Atascosa	Walker
Jones of Falls	Weldon
Jones of Wise	Winfree
Keefe	Wood

## Absent

Alexander	Davisson
Celaya	of Eastland

Dean	Nicholson
Graves	Petsch
Harbin	Pope
Hartzog	Smith of Hopkins
Herzik	Smith
Keith	of Matagorda
Leyendecker	Thornton
McCracken	Worley

## Absent—Excused

Bates	Loggins
Blankenship	Metcalfe
Derden	Ross
Fielden	Schuenemann
Kelt	Stinson
Langdon	Waggoner
Leonard	Westbrook

## HOUSE BILL NO. 238 ON SECOND READING

On motion of Mr. Hankamer, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended at this time, for the purpose of considering House Bill No. 238.

The Chair then laid before the House, on its second reading and passage to engrossment,

H. B. No. 238, A bill to be entitled "An Act making appropriations to defray the costs assessed against the State of Texas of the Rio Grande joint investigation being conducted by the National Resources Committee, through the Water Resources Committee, constituted under Act of Congress, and making appropriations to pay the court costs and expenses of the Attorney General in the prosecution of the complaint of the State of Texas in the cause of the State of Texas vs. the State of New Mexico, et al., No. 12 Original, October Term, 1936, in the Supreme Court of the United States, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 238 ON THIRD READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 238 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Adkins	Amos
Alsup	Baker

Bell	Jones of Wise
Boethel	Keefe
Bond	Kenyon
Boyer	Kern
Bradbury	King
Bradford	Lankford
Bridgers	Leath
Brown	Leyendecker
Burton	Little
Cagle	London
Callan	Lucas
Carssow	Mauritz
Cleveland	Mays
Colquitt	McConnell
Davis of Haskell	McDonald
Davis of Jasper	McFarland
Davison of Fisher	McKee
Davisson	McKinney
of Eastland	Moffett
Dean	Monkhouse
Deglandon	Morse
Dickison	Nicholson
Dollins	Oliver
England	Patterson of Mills
Farmer	Patterson
Felty	of Travis
Fox	Prescott
Fuchs	Quinn
Gibson	Reed of Dallas
Graves	Rhodes
Hamilton	Riddle
Hankamer	Roark
Hanna	Russell
Harbin	Rutta
Hardin	Settle
Harris of Archer	Sewell
Harris of Dallas	Sharpe
Hartzog	Shell
Heflin	Simpson
Herzik	Smith
Holland	of Matagorda
Hoskins	Smith of Tarrant
Howard	Stevenson
Hull	Stocks
Hyder	Talbert
Jackson	Tarwater
James	Tennant
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Walker
Jones of Angelina	Weldon
Jones of Atascosa	Winfree
Jones of Falls	

Nays—3

Huddleston	Reed of Bowie
Knetsch	

Present—Not Voting

Skaggs

Absent

Alexander	Broadfoot
Beckworth	Cathey

Celaya	Petsch
Harper	Pope
Harrell	Powell
Harris of Dickens	Ragsdale
Keith	Reader
Lanning	Smith of Hopkins
Mann	Tennyson
McCracken	Thornberry
Morris	Wood
Newton	Worley
Palmer	

## Absent—Excused

Bates	Loggins
Blankenship	Metcalfe
Derden	Ross
Fielden	Schuenemann
Kelt	Stinson
Langdon	Waggoner
Leonard	Westbrook

The Chair then laid House Bill No. 238 before the House, on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107

Adkins	Harbin
Alsup	Harrell
Amos	Harris of Archer
Baker	Harris of Dickens
Beckworth	Hartzog
Bell	Holland
Boethel	Hoskins
Bond	Hull
Boyer	Hyder
Bradford	Jackson
Bridgers	James
Brown	Johnson of Ellis
Burton	Johnson
Cagle	of Tarrant
Callan	Jones of Angelina
Carrsow	Jones of Falls
Cleveland	Jones of Wise
Colquitt	Keefe
Davis of Haskell	Kenyon
Davis of Harper	Kern
Davisson	King
of Eastland	Lankford
Dean	Lanning
Deglandon	Leath
Dickison	Leyendecker
Dollins	Little
England	London
Farmer	Lucas
Felty	Mauritz
Fox	Mays
Fuchs	McConnell
Gibson	McCracken
Graves	McDonald
Hamilton	McFarland
Hankamer	McKee
Hanna	Moffett

Monkhouse	Sharpe
Morse	Shell
Nicholson	Simpson
Oliver	Skaggs
Palmer	Smith
Patterson of Mills	of Matagorda
Patterson	Smith of Tarrant
of Travis	Stevenson
Powell	Stocks
Prescott	Talbert
Quinn	Tarwater
Ragsdale	Tennant
Reed of Dallas	Thornberry
Rhodes	Thornton
Riddle	Vale
Roark	Walker
Russell	Weldon
Rutta	Winfree
Settle	Wood
Sewell	

## Nays—4

Bradbury	Knetsch
Hardin	Reed of Bowie

## Absent

Alexander	Keith
Broadfoot	Mann
Cathey	McKinney
Celaya	Morris
Davison of Fisher	Newton
Harper	Petsch
Harris of Dallas	Pope
Heflin	Reader
Herzik	Smith of Hopkins
Howard	Tennyson
Huddleston	Worley
Jones of Atascosa	

## Absent—Excused

Bates	Loggins
Blankenship	Metcalfe
Derden	Ross
Fielden	Schuenemann
Kelt	Stinson
Langdon	Waggoner
Leonard	Westbrook

RELATIVE TO MEETINGS OF  
STANDING COMMITTEES

The Chair laid before the House and had read the following report of the committee heretofore appointed for the purpose of arranging for meetings of the Standing Committees:

Austin, Texas, January 27, 1937.

Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sir: Your committee appointed for the purpose of arranging Committee Room Assignment and Schedule, have had the same under consideration and presents the following report:

### COMMITTEE ROOM ASSIGNMENT AND SCHEDULE

#### Room 3

Bullock Hyder, Room Chairman  
Municipal and Private Corporations—Monday, Thursday; Liquor Traffic—Tuesday; Agriculture—Wednesday afternoon; Banks and Banking—Wednesday night; Insurance—Friday; Examination of Comptroller's and Treasurer's Accounts—Unassigned.

#### Room 8

Eugene Worley, Room Chairman  
Oil, Gas and Mining—Monday, Wednesday; Public Lands and Buildings—Tuesday; Congressional and Legislative Districts—Tuesday and Thursday afternoons; Public Health—Friday; School Districts—Thursday night; Commerce and Manufactures.

#### Room 6

Harry Graves, Room Chairman  
Appropriations, Rules.

#### Room 10

G. O. Morris, Room Chairman  
Highways and Motor Traffic—Monday, Thursday; Common Carriers—Tuesday, Friday; Labor—Wednesday; Military Affairs, Federal Relations—Unassigned.

#### Room 11

Herman Jones, Room Chairman  
Judiciary—Monday, Thursday; Criminal Jurisprudence—Tuesday, Friday; Judicial Districts—Wednesday afternoon; Privileges, Suffrages and Elections—Wednesday night; Interstate Co-operation—Unassigned.

#### Room 12

Alf Roark, Room Chairman  
Revenue and Taxation—Monday, Wednesday, Friday; Penitentiaries—Tuesday; Counties—Thursday afternoon; Conservation and Reclamation—Thursday night; Public Printing—Unassigned.

#### Reception Room

Fred Mauritz, Room Chairman  
State Affairs—Tuesday, Thursday; Education—Wednesday, Friday; Game and Fisheries—Monday night; Live Stock and Stock Raising—Monday afternoon; State Eleemosynary and Reformatory Institutions.

#### Room 14

Waggoner, Room Chairman  
Claims and Accounts; Local and Uncontested Bills—Unassigned.

Engrossing and Enrolling Room  
Bridgers, Room Chairman

Engrossed Bills, Enrolled Bills.

Sergeant at Arms Room

Lon Alsup, Room Chairman

Contingent Expenses.

Special Hearings for Committees  
For Emergency Meetings—Press Table.

### MESSAGE FROM THE SENATE

Austin, Texas, January 27, 1937.

Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has

Concurred in House amendment to S. C. R. No. 10 by a Viva Voce vote.

Respectfully,

BOB BARKER,

Secretary of the Senate.

### ADJOURNMENT

On motion of Mr. Colquitt, the House at 12:15 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

### APPENDIX

### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Counties: House Bills Nos. 106, 145, 146, 153 and 165.

Education: House Bill No. 205.

Labor: House Bills Nos. 19, 43, 82 and 242.

Live Stock and Stock Raising: House Bills Nos. 91, 113, 211 and 228.

Public Health: House Bill No. 172.

State Affairs: House Bills Nos. 167, 233, 244 and 273; House Concurrent Resolutions Nos. 3 and 9.

### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, January 27, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 13, Proposing to send a committee to Oklahoma for purpose of entering into compact with Oklahoma relative to use of Red River by Texas citizens.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Committee Room,

Austin, Texas, January 27, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 174, A bill to be entitled "An Act making an appropriation from the State Treasury for the preparation, checking, investigation, and correction of the scholastic census and for accounting and investigation necessary in the approval of transfers to the Census Division to the State Department of Education; providing money for salaries, wages, rent, equipment, supplies, printing, and necessary traveling expenses incident thereto for the sum of Fifteen Thousand (\$15,000.00) Dollars for the year ending September first, 1937, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Committee Room,

Austin, Texas, January 27, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 238, A bill to be entitled "An Act making appropriations to defray the costs assessed against the State of Texas of the Rio Grande joint investigation being conducted by the National Resources Committee, through the Water Resources Committee, constituted under Act of Congress, and making appropriations to pay the court costs and expenses of the Attorney General in the prosecution of the complaint of the State of Texas in the cause of the State of Texas vs. the State of New Mexico, et al., No. 12 Original, October Term, 1936, in the Supreme Court of the United States, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

HARRIS of Archer,  
Acting Chairman.

## TENTH DAY

(Thursday, January 28, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hoskins
Adkins	Howard
Alexander	Huddleston
Alsup	Hull
Amos	Jackson
Baker	James
Bates	Johnson of Ellis
Beckworth	Johnson
Bell	of Tarrant
Boethel	Jones of Angelina
Bond	Jones of Atascosa
Boyer	Jones of Falls
Bradbury	Jones of Wise
Bradford	Keefe
Bridgers	Keith
Broadfoot	Kelt
Brown	Kenyon
Burton	Kern
Cagle	King
Callan	Knetsch
Cathey	Langdon
Celaya	Lankford
Cleveland	Lanning
Colquitt	Leath
Davis of Haskell	Leyendecker
Davis of Jasper	Little
Davison of Fisher	London
Davisson	Lucas
of Eastland	Mann
Dean	Mauritz
Deglandon	Mays
Derden	McConnell
Dickison	McCracken
Dollins	McDonald
England	McFarland
Farmer	McKee
Felty	McKinney
Fielden	Moffett
Fox	Monkhouse
Fuchs	Morris
Gibson	Morse
Graves	Nicholson
Hamilton	Oliver
Hankamer	Palmer
Harbin	Patterson of Mills
Hardin	Patterson
Harper	of Travis
Harrell	Petsch
Harris of Archer	Pope
Harris of Dickens	Powell
Hartzog	Prescott
Heflin	Quinn
Herzik	Ragsdale
Holland	Reader